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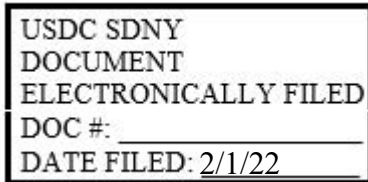
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MEMO ENDORSED

January 31, 2022

VIA ECF FILING

Magistrate Judge Barbara Moses
United States District Court for the
Southern District of New York
500 Pearl Street – Room 740
New York, New York 10007



Re: Kramer v. Penske et al
Docket # 21 CV 7121

Dear Magistrate Judge Moses:

I represent the plaintiffs as local counsel in the above matter. I am respectfully submitting this letter on behalf of Randall Justice, Esq. as his motion to appear *pro hac vice* is *sub judice*.

The parties have continued to cooperate to resolve their remaining discovery issues and appear to have done so successfully. As a result of those joint efforts, Defendant Morgan is presently working on producing some additional responsive documents and things. These efforts were unavoidably delayed by illness for respective counsel. Mr. Randall tested positive for COVID 19 and was unable to work for over a week before returning to the office on January 18, 2022. Thereafter, counsel for Defendant Morgan, copied below, then tested positive and was also unable to work for about a week.

Given these unanticipated delays and the ongoing production by Defendant Morgan, counsel have jointly agreed, subject to the Court's approval, to a twenty eight (28) day extension of time for Plaintiff's Brief in response to Defendant Morgan's Motion to Dismiss so as to both allow the Defendant adequate time to complete its production and Plaintiff sufficient time to then review that production and brief the issue. This joint request would make Plaintiff's brief due on March 7th if this Honorable Court will kindly permit such an extension.

I remain available at the Court's convenience to address this further.

Application GRANTED. SO ORDERED.

Barbara Moses
United States Magistrate Judge
February 1, 2022

Respectfully,

Joseph D. Monaco, Esq.